

PHILLIP A. TALBERT  
United States Attorney  
STEPHANIE M. STOKMAN  
Assistant United States Attorney  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JOSHYMAR ESTRADA,  
  
Defendant.

CASE NO. 1:22-CR-00149-JLT-SKO  
  
STIPULATION AND ORDER RE  
EXCLUDABLE TIME PERIODS UNDER  
SPEEDY TRIAL ACT;

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on March 20, 2024.
2. By this stipulation, defendant now moves to vacate the status conference and set a jury trial date of September 10, 2024, and to exclude time between March 20, 2024, and September 10, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case has been provided. The government is aware of its ongoing discovery obligations.
  - b) The government provided defendant with a plea agreement and counsel for defendant has been engaged in discussions with the government regarding a potential resolution.

1 The parties believe a potential resolution can be made in this matter.

2 c) Counsel for defendant desires additional time to confer with his client about a  
3 possible resolution, to review discovery, conduct any additional investigation necessary as a  
4 result of the plea offer, and to otherwise prepare for trial.

5 d) Counsel for defendant believes that failure to grant the above-requested  
6 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
7 into account the exercise of due diligence.

8 e) The government does not object to the continuance.

9 f) Based on the above-stated findings, the ends of justice served by continuing the  
10 case as requested outweigh the interest of the public and the defendant in a trial within the  
11 original date prescribed by the Speedy Trial Act.

12 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
13 et seq., within which trial must commence, the time period of March 20, 2024 to September 10,  
14 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
15 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
16 of the Court's finding that the ends of justice served by taking such action outweigh the best  
17 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: March 14, 2024

PHILLIP A. TALBERT  
United States Attorney

/s/ STEPHANIE M. STOKMAN  
STEPHANIE M. STOKMAN  
Assistant United States Attorney

Dated: March 14, 2024

/s/ YAN SHRAYBERMAN

YAN SHRAYBERMAN  
Counsel for Defendant  
JOSHYMAR ESTRADA

**ORDER**

IT IS SO ORDERED.

DATED: 3/14/2024

*Sheila K. Oberto*  
Hon. Sheila K. Oberto  
United States Magistrate Judge